

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on October 3, 2006 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Alliance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Fire Chief Michael Chism, Assistant Fire Chief Andy Adair, Police Chief Larry Metzelaars, and City Clerk Susan O'Brien.

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda as follows: minutes of the regular meeting September 19, 2006; Police Department Report for the month of August, Fire Department Report for the month of September; payroll and bills for the last half of September and HOME Rehab expenditures.

Bills and Payroll for the last half of September, 2006

General Fund

Payroll		\$	289,175.58
Bills		\$	<u>100,289.17</u>
	Total	\$	389,464.75

Hotel Tax Fund

Payroll		\$	1,706.54
Bills		\$	<u>469.48</u>
	Total	\$	2,176.02

Festival Management Fund

Bills		\$	<u>40.00</u>
	Total	\$	40.00

Midtown TIF Fund

Bills		\$	<u>3,675.00</u>
	Total	\$	3,675.00

Capital Project Fund

Bills		\$	<u>19,352.10</u>
	Total	\$	19,352.10

Water Fund

Payroll		\$	26,977.31
Bills		\$	<u>158,723.88</u>
	Total	\$	185,701.19

Sewer Fund

Payroll		\$	24,900.04
Bills		\$	<u>6,735.67</u>
	Total	\$	31,635.71

Cemetery Fund

Payroll		\$	4,205.18
Bills		\$	<u>1,774.74</u>
	Total	\$	5,979.92

Motor Fuel Tax Fund

Bills		\$	<u>4,886.69</u>
	Total	\$	4,886.69

Revolving Loan Fund

Bills		\$	<u>40.00</u>
		\$	40.00

Health Insurance

Bills		\$	<u>92,321.18</u>
	Total	\$	92,321.18

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

PUBLIC HEARING:

Mr. Doug McDermund of Coles County Regional Planning and Development Commission (CCRP-DC) opened the public hearing on the proposed grant application for a single family owner occupied home rehabilitation program to the Illinois Housing Development Authority at 7:03 p.m. Mr. McDermund stated the proposed grant would be in the amount of \$210,000 to include five homes with owners in the low-to-moderate income range. Mayor White inquired as to whom to contact with regard to the grant. Mr. McDermund replied the CCRP-DC would be the agency to contact. There was already a waiting list, but encouraged others to apply to replenish the list. Mr. McDermund opened the floor for discussion. Administrator Gilmore inquired as to a target area. Mr. McDermund stated there was no target area, but city-wide possibilities. Mr. McDermund stated there was an application deadline of October 27, 2006. With no further discussion Mr. McDermund closed the public hearing at 7:06 p.m.

Commissioner Cline seconded by Commissioner Ervin moved to adopt Resolution 2006-2665, authorizing and supporting a single family owner occupied home rehabilitation grant application.

City of Mattoon, Illinois

Resolution No. 2006-2665

A resolution of authorization and support for a single family owner occupied rehabilitation grant application

WHEREAS, the City of Mattoon, is applying to the State of Illinois for HOME Single Family Owner Occupied Rehabilitation Program funds administered by the Illinois Housing Development Authority (IHDA), and,

WHEREAS, it is necessary that an application be authorized for submission by the City Council and that the Mayor be authorized to sign documents as required by the Illinois Housing Development Authority in connection with said HOME funds,

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1) That the City authorizes and supports the submission of an application for HOME Single Family Owner Occupied Rehabilitation Program funds under the terms and conditions of the State of Illinois and shall enter into and agree to the understandings and assurances contained in said application.
- 2) That the Mayor may execute such documents and all other documents necessary for the carrying out of said application and provide such additional information as may be required to accomplish the obtaining of such grant.

Upon motion by Commissioner Cline seconded by Commissioner Ervin, adopted this 3rd day of October 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling ,</u> <u>Mayor White.</u>
NAYS (Names)	<u>None</u>
ABSENT (Names)	<u>None</u>

Approved this 3rd day of October, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: Approved as to form:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on October 4th, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

NEW BUSINESS:

Mayor White seconded by Commissioner Cline moved to approve Council Decision Request 2006-663, awarding bid for three used police squad cars to Bay Ridge Motors, Inc. of Staten Island, New York for the amount of \$7,665.00.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to adopt Resolution 2006-2666, evidencing the intention of the City of Mattoon, Coles County, Illinois, to issue Single Family Mortgage Revenue Bonds and related matters.

CITY OF MATTOON, ILLINOIS

Resolution No. 2006-2666

Resolution evidencing the intention of the City of Mattoon, Coles County, Illinois, to issue Single Family Mortgage Revenue Bonds and related matters.

Whereas, the City of Mattoon, Coles County, Illinois (the "*Issuer*") is a municipality under Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois; and

Whereas, the availability of decent, safe and sanitary housing that most people can afford is essential to retain and increase industrial and

commercial activities and relieve conditions of unemployment in the City of Mattoon, Illinois; and

Whereas, the shortage of decent, safe and sanitary housing that most people can afford is not transitory and self-curing; the cost of financing such housing is a major and substantial factor affecting the supply and cost of decent, safe and sanitary housing built by private enterprise; and the revenue bonds provided for in this resolution will substantially lower the cost of such financing; and

Whereas, pursuant to the Constitution and the laws of the State of Illinois, and particularly the Municipal Housing Finance Law, 65 *Illinois Compiled Statutes 2004, 5/11-74.5-1 et seq.*, as supplemented and amended (the “Act”), the City Council of the Issuer has the power to issue its revenue bonds to aid in financing the cost of mortgage loans for one to four family residences in the City of Mattoon, Illinois; and

Whereas, it is now considered to be necessary and desirable and in the public interest of the residents of the City of Mattoon, Illinois, for such revenue bonds to be issued in an amount not to exceed \$500,000,000 in each of the next three (3) years, for the purpose of financing mortgage loans to low and moderate income persons for one to four family residences in the City of Mattoon, Illinois; and

Whereas, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 10 of Article VII of the 1970 Constitution of the State of Illinois and 5 *Illinois Compiled Statutes 2004, 220/1 et seq.*, as supplemented and amended (the “Intergovernmental Cooperation Act”), public agencies may exercise and enjoy with any other public agency in the State of Illinois any power, privilege or authority which may be exercised by such public agency individually, and pursuant to the Act, one or more public agencies (whether or not any of them are home rule units) may join together or cooperate with one another in the exercise, either jointly or otherwise, of any one or more of the powers conferred by the Act or other enabling acts or powers pursuant to a written agreement, and, accordingly, the County has previously entered into an Intergovernmental Cooperation Agreement (the “Cooperation Agreement”) dated as of April 1, 2005, by and among the County and certain other units of local government named therein (the “Units”), as from time to time supplemented and amended, to provide for the joint issuance of such revenue bonds to aid in providing an adequate supply of residential housing in such Units (the “Program”);

Now, Therefore, Be It Resolved by the City Council of the City of Mattoon, Coles County, Illinois, as follows:

Section 1. That, in order to provide decent, safe and sanitary housing that persons of low and moderate income in the City of Mattoon, Illinois, can afford, with the resulting public benefits expected to flow therefrom, it is deemed necessary and desirable for revenue bonds in an aggregate principal amount not to exceed \$500,000,000 to be issued in each of the next three (3) years (the “Bonds”), for the purpose of financing mortgage loans to persons of low and moderate income for one to four family residences located in the City of Mattoon, Illinois.

Section 2. That the form, terms and provisions of the Cooperation Agreement be, and they are hereby in all respects affirmed.

Section 3. That the Issuer is hereby authorized to apply for a volume cap allocation for calendar years 2007, 2008 and 2009 for the issuance of the Bonds, which volume cap, if granted, will be allocated to the issuance of the Bonds upon the written direction of the Mayor of the Issuer who is hereby authorized to execute any such written direction.

Section 4. That the Issuer hereby agrees to work with Stern Brothers & Co. to underwrite the Bonds and with Chapman and Cutler LLP, as Bond Counsel, in connection with the issuance of the Bonds during calendar years 2007, 2008 and 2009.

Section 5. That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Issuer are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this resolution, including without limitation to obtain an allocation of unified volume cap.

Section 6. That the provisions of this resolution are hereby declared to be separable, and if any section, phrase or provision of this resolution shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases and provisions of this resolution.

Section 7. That all ordinances, resolutions or orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded; and that this resolution shall be in full force and effect upon its adoption and approval.

Presented, passed, approved and recorded this 3rd day of October, 2006.

/s/ Charles E. White

Mayor

Attest:

/s/ Susan J. O'Brien
City Clerk

Ayes: Commissioner Cline, Commissioner Ervin
Commissioner McKenzie, Commissioner Schilling
Mayor White

Nays: None

Absent or Not Voting: None

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to adopt Special Ordinance 2006-1177, granting a variance from building setback requirements to enable construction of an addition to the front of the building located at 600 Moultrie Avenue, which is the Mattoon Food Center.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1177

AN ORDINANCE GRANTING A VARIANCE FROM BUILDING SET BACK REQUIREMENTS TO ENABLE CONSTRUCTION OF AN ADDITION TO THE FRONT OF THE BUILDING LOCATED AT 600 MOULTRIE AVENUE

WHEREAS there has been filed a written Petition by Mattoon Community Food Center for a variance, respecting the property legally described as:

Lots 11 and 12 in Block 33 of the Original Town, now City of Mattoon, Coles County, Illinois, commonly known as 600 Moultrie Avenue, Mattoon, Illinois.

WHEREAS, said petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow a 14 foot front yard setback for the construction of an addition to the building to increase the waiting area and also a covered porch, and

WHEREAS the zoning code requires a 25-foot front yard setback, of the primary structure, in the C1, Neighborhood Commercial District; and

WHEREAS the Board of Zoning Appeals held a properly noticed public hearing on September 19, 2006 regarding petitioner's request for said variance; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested variance be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a variance of the front yard set back requirement on the South side of the property to 14 feet as requested to enable construction of an addition to the building.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Ervin, adopted this 3rd day of October, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin</u> <u>Commissioner Schilling, Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>
<u>ABSTAIN</u> (Names):	<u>Commissioner McKenzie</u>

Approved this 3rd day of October, 2006.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:
/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

APPROVED AS TO FORM:
/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on October 4, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Special Ordinance 2006-1178, granting a variance from the thirty percent intensity of use to enable construction of an accessory building at 109 Arborgate Drive. Gary and Dixie Freeland – Petitioners.

CITY OF MATTOON, ILLINOIS

Recorded in the Municipality's Records on October 4, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-664, authorizing the mayor to sign a change order in the amount of \$43,200 for the removal of 4,000 additional cubic yards on the Lake Paradise Sedimentation Removal Project.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Cline moved to approve Council Decision Request 2006-665, authorizing the mayor to enter into a construction contract with A & R Services, Inc. from Urbana for \$153,084.50 for the construction of the Mattoon/Charleston Interconnect and 2,000 feet of 12 inch PVC watermain.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to approve Council Decision Request 2006-666, awarding the bid of a new Vermeer BC 1500 Chipper to Vermeer Sales & Service of Central Illinois in the amount of \$34,812.00 after trade-in.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Cline moved to approve Council Decision Request 2006-667, authorizing the mayor to sign a contract with Higgins Tree Farm of Gays, Illinois in the amount of \$16,950 for the 2006 tree planting contract.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to approve Council Decision Request 2006-668, authorizing the WWTP Superintendent to purchase a replacement pump for the Riley Creek Lift Station from Hydraserve, Inc. of Evansville, Indiana in the amount of \$11,472.00.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006, 669, approving the bid in the amount of \$8,315.00 for the demolition of a structure located at 1621 Richmond Avenue to T.Q. Demolition; and approving the demolition and removal of approximately 23,000 square feet of concrete floor, footing, and foundation on the property next to the YMCA for an additional bid of \$9,835.00.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-670, approving the purchase of GIS workstations and related peripheral equipment for the Public Works Department and Community Development Department to be reimbursed by Coles Together.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2006-671, accepting the 2006 LAPP (Local Agency Pavement Preservation) Project bid, and awarding the bid to Howell Asphalt in the amount of \$410,757.94 for various roadway improvements.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to adopt Special Ordinance 2006-1179, establishing the South Route 45 Tax Increment Financing "Interested Parties" Registry.

SPECIAL ORDINANCE NO. 2006-1179

AN ORDINANCE OF THE CITY OF MATTOON, ILLINOIS ESTABLISHING THE SOUTH ROUTE 45 TAX INCREMENT FINANCING "INTERESTED PARTIES" REGISTRY.

SPECIAL ORDINANCE

WHEREAS, the City of Mattoon, Illinois (the "**Municipality**") is a non-home rule municipality as described in Section 7 (County and Municipalities other than Home Rule Units) of Article VII (Local Government) of the Constitution of the State of Illinois, and as such may exercise those powers and perform those functions pertaining to its government and affairs as provided by applicable law;

WHEREAS, pursuant to Section 11-74.4-4.2 of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.* (as supplemented and amended, the "**TIF Act**"), the Municipality is required to establish certain "**interested parties**" registries and adopt registration rules for such registries, and the Municipality adopts this ordinance in order to comply with such requirements of the TIF Act.

WHEREAS, the City of Mattoon has enacted Ordinance 2002-5154 establishing the Tax Increment Financing "Interested Parties" Registries.

WHEREAS, Ordinance 2002-5154 also adopted the rules for such "Interested Parties Registries."

WHEREAS, Special Ordinance 2006 - 1160 amended the rules for such "Interested Parties Registries."

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, as follows:

SECTION 1. The above recitals are incorporated into this Section 1 and made a part hereof by this reference.

SECTION 2. The City Clerk, assisted by the City Administrator (or the Mayor's designee), is hereby authorized and directed to create an "**interested parties**" registry in accordance with Section 11-74.4-4.2 of the TIF Act for the "South 45 Redevelopment Project Area" and to cause to be published the notices related to the establishment of the registry.

SECTION 3. In accordance with Section 11-74.4-4.2 of the TIF Act, the Municipality's previously adopted registration rules are attached as an exhibit hereto (the "**Registration Rules**") as registration rules for each such "**interested parties**" registry

Chief shall be nominated solely on the basis of training, qualifications and experience in the administration of a fire department. The City Council and the Fire Chief may enter into an Employment Agreement with respect to terms and provisions of employment that may provide for salary, salary adjustments, fringe benefits, severance provisions, payment and any other remuneration and benefits of office.

(B) The Fire Chief shall be the departmental director of the Fire Department. The Chief shall manage affairs of the department subject to general policy guidelines provided by the Fire Commissioner and City Council. The Chief implements departmental strategies consistent with the goals and objectives approved by the City Council. The Chief assigns Captains, Driver/Engineer and Firefighters to different tasks and shifts and evaluates performance of all departmental employees.

(C) The Fire Chief manages the human resource and financial administration functions of the department in coordination with the City Administrator, City Attorney and Treasurer. The Chief, with the approval of the City Council, prescribes departmental policies and rules as may be necessary to the discipline and efficiency of the Fire service. The Chief assists in the negotiation of successor collective bargaining agreements. The Chief has custody of property of the municipality assigned to the Fire Department.

(D) Investigation of fires; records. The Chief shall investigate the cause of all fires which shall occur in the City and keep a record of his investigation and the circumstances of each case. The Chief shall insure that the department works closely with all law enforcement agencies in the investigation of all fires of a suspicious nature or origin. From such records, the Chief shall make monthly reports to the City Council of activities of the Department.

(E) The Fire Chief or his designee attends all meetings of the City Council.

(F) If a member of the Mattoon Fire Department is appointed Fire Chief prior to being eligible to retire on pension, he shall be considered as on furlough from the rank he held immediately prior to his appointment as Chief. If he resigns as Chief or is not discharged for cause as Chief prior to attaining eligibility to retire on pension, he shall revert to and be established in whatever rank he currently holds, except for previously appointed positions, and thereafter be entitled to all the benefits and emoluments of that rank, without regard as to whether a vacancy then exists in that rank.

(G) A Fire Chief having been appointed from among members of the Mattoon Fire Department shall be permitted, regardless of rank, to take promotional exams and be promoted to a higher classified rank than he or she currently holds, without having to resign as Fire Chief.

(H) The Fire Chief may be removed or discharged from the Fire Chief position with or without cause by the Fire Commissioner according to procedures specified by 65 ILCS 5/10-2.1-4. In such case, the Fire Commissioner shall file with the City Council the reasons for such removal or discharge, which removal or discharge shall not become effective unless confirmed by a majority vote of the City Council.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Schilling, adopted this 3rd day of October, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin</u>	<u>Commissioner McKenzie, Commissioner Schilling</u>
	<u>Mayor White</u>	
NAYS (Names):	<u>None</u>	
ABSENT (Names):	<u>None</u>	

Approved this 3rd day of October, 2006.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:
/s/ Susan J. O'Brien

APPROVED AS TO FORM:
/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on October 4, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner McKenzie moved to adopt Special Ordinance 2006-1180, ratifying the appointment of Michael L. Chism to the Fire Chief position, effective October 3, 2006 with an annual salary of \$65,000.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1180

**AN ORDINANCE RATIFYING THE APPOINTMENT OF
MICHAEL L. CHISM TO THE FIRE CHIEF POSITION**

BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The City Council hereby ratifies the Fire Commissioner's appointment of Michael L. Chism to the position of Fire Chief

Section 2. The City Council hereby approves an Employment Agreement with Michael L. Chism for the position of Fire Chief, a copy of which is attached hereto and incorporated herein by reference.

Section 3. **This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.**

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner McKenzie, adopted this 3rd day of October, 2006, by a roll call vote, as follows:

Upon motion by Commissioner Ervin, seconded by Commissioner McKenzie, adopted this 3rd day of October, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin</u>	<u>Commissioner McKenzie, Commissioner Schilling</u>
	<u>Mayor White</u>	
NAYS (Names):	<u>None</u>	
ABSENT (Names):	<u>None</u>	

Approved this 3rd day of October, 2006.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:
/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

APPROVED AS TO FORM:
/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on October 4, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to recess to to closed session at 7:16 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the purchase or lease of real property (5 ILCS 120(2)(c)(5)).

Council reconvened at 7:53 p.m.

Mayor White seconded by Commissioner Schilling moved to adjourn at 7:53 p.m.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk